

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARIA DEVLIN and JULIE THUMM,
individually and on behalf of all others
similarly situated,**

Plaintiffs,

**v.
FERRANDINO & SON, INC.,**

Defendant.

Civil Action No. 2:15-cv-04976-NIQA

Judge Nitza I. Quiñones Alejandro

**PLAINTIFFS' UNOPPOSED MOTION FOR
FINAL APPROVAL OF THE SETTLEMENT AGREEMENT
AND ATTORNEYS' FEES AND COSTS**

Plaintiffs Maria Devlin and Julie Thumm ("Plaintiffs"), respectfully move this Court for an Order:

1. Granting final approval of the parties' Settlement Agreement, submitted to the Court at Dkt. No. 30-3;
2. Certifying the FLSA claims pursuant to 29 U.S.C. § 216(b) and the following Pennsylvania Settlement Class pursuant to Fed. R. Civ. P. 23:

all current or former employees of Defendant who performed work as Account Managers at any time between September 3, 2011 and January 5, 2015 and all current or former employees of Defendant who performed work as Account Managers and performed On Call Work during at least one workweek between January 5, 2015 and October 9, 2015;

3. Finally approving Plaintiffs Maria Devlin and Julie Thumm as the Representatives of the Settlement Classes, and approving the \$7,500.00 service award to each for their service to the Settlement Class and in exchange for their additional released claims in favor of Defendant;

4. Finally approving the service award payments of \$1,000 each to Opt-In Plaintiffs Opt-In Plaintiffs Jason Eiesenber, Michael Hagan and Jennifer Wynne for their aide and information in this matter;

5. Finally approving the Public Interest Law Center as the *cy pres* recipient;

6. Finally approving Berger & Montague, P.C. and Willig, Williams & Davidson as Class Counsel for the Settlement Classes;

7. Finally approving Class Counsel's attorneys' fees in the amount of \$516,667.00 and costs in the amount of \$8,813.30;

8. Finally approving the Angeion Group, LLC as the Settlement Administrator and finally approving the costs of settlement administration not to exceed \$17,500; and

9. Dismissing this class and collective action with prejudice.

This Motion is based on the accompanying Memorandum of Law, the Declaration of Sarah R. Schalman-Bergen, Esquire of Berger & Montague, P.C., the Declaration of Ryan Hancock of Willig, Williams & Davidson, and all other records, pleadings and papers on file in this action.

A proposed Order is submitted for the Court's consideration.

Dated: September 19, 2016

Respectfully submitted,

s/ Sarah R. Schalman-Bergen

Shanon J. Carson

Sarah R. Schalman-Bergen

Alexandra K. Piazza

Camille Fundora

BERGER & MONTAGUE, P.C.

1622 Locust Street

Philadelphia, PA 19103

Telephone: (215) 875-3000

Facsimile: (215) 875-4604

Email: scarson@bm.net

sschalman-bergen@bm.net

apiazza@bm.net

cfundora@bm.net

Ryan Allen Hancock (PA 92590)
Bruce Ludwig (PA 23251)
WILLIG, WILLIAMS & DAVIDSON
1845 Walnut Street, 24th Floor
Philadelphia, PA 19103
Telephone: (215) 656-3679
Facsimile: (215) 561-5135
Email: rhancock@wwdlaw.com
bludwig@wwdlaw.com

*Attorneys for the Plaintiffs and the Settlement
Class*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been filed on the ECF docket and is available for viewing and download on this 19th day of September, 2016.

s/ Sarah R. Schalman-Bergen
Sarah R. Schalman-Bergen